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toly Shcharansky's arrest, Bob talked about the responsibility we have of keeping the pressure up in hopes of securing Shcharansky's release. He said: "We cannot allow the world to forget the Shcharansky case. We must lodge our protests with greater and greater intensity until the Soviet Government hears and understands that we will not rest until Shcharansky is free and allowed to rejoin his wife, Avital, in Israel."

Bob, I think that you can tell from the impressive gathering we have here this morning that your colleagues intend to take your lead to insure that the Soviet Government does not forget. Similarly we are not going to forget your courage and the examples you have set with the stands you have taken and the tough votes you have cast. Your dedicated concern for the welfare of Soviet Jewry will be remembered and we intend to keep the struggle alive.

"Ideas," as William O. Douglas once said, "have been the most dangerous forces in the history of mankind." What you have taught us is that in the struggle against repression, ideas can be as powerful as any weapon. From whatever forum you choose in the future, we will look to you as a well-spring for more powerful ideas to help us fight the battle that has brought us together today.

I would be happy to yield to any of my colleagues who would like to speak at this time.

## REMARKS OF MICHAEL D. BARNES IN TRIBUTE TO ROBERT F. DRINAN

I am deeply touched to be asked to speak here today in honor of my extraordinary and gifted colleague, Robert F. Drinan, the great Massachusetts Congressman.

As I stand before you on the floor of the House of Representatives, I find it hard—even painful—to accept the fact that after a decade of service to his Nation and his fellow man in Congress, Robert Drinan's last term is coming to a close.

Congressman Drinan has been more than a colleague during my own freshman term. He has been my friend, my model, and my inspiration—especially in the work of the House Judiciary Committee, where I have had the privilege to serve with him, and in the field of human rights.

It was he who urged me to seek out the Judiciary Committee, which I did—and as I serve especially on the Immigration, Refugees, and International Law Subcommittee, I realize the tremendous impact that the Congress of the United States does have on the lives of people who are remote from our own continent, but who share the same time span, the same destiny on this earth, the same hopes, needs, and dreams for freedom, dignity, and a meaningful existence that characterize humanity.

In his outstanding accomplishments on the Judiciary Committee, as chairman of the Subcommittee on Criminal Justice, and as a spokesman for global human rights causes—it is certainly his own personal sense of fairness, his respect for the rights of the individual, and his reverence for life that have prompted his contributions to the American people and—in a larger sense—to the family of man.

When Father Drinan came to Capitol Hill as a freshman Congressman, he was one of the first Members to emerge and be elected on an anti-Vietnam war platform, sponsoring much of the original legislation aimed at ending U.S. military involvement in Indo-China.

It was from his earliest days in these halls that Father Drinan stood apart from the crowd to speak—often in a lone voice—of his convictions and of truth, as he so correctly

perceived it. And some of us learned to listen to this prophet of justice, this prophet of caring, to listen, to learn, and to act in an equitable and responsible manner toward all.

We learned about men and women in remote villages and steppes in Russia, who were deprived of their rights to be themselves. And he taught us to care about them and to know how relevant their lack of liberty was to our own full lives . . . to know that while one man is deprived of his inalienable right to be free, so does all mankind suffer.

Worldwide, there is no more dedicated champion of Soviet Jews, Christians, and dissidents than Congressman Robert Drinan, who is the founder of the National Interreligious Task Force on Soviet Jewry and who chairs the International Committee for the Release of Anatoly Shcharansky.

Through Father Drinan's intercession, we have come to know, for example, Anatoly and Avital Shcharansky—not only as victims of oppression, but as real people, as lovers forced to live their married years nations apart, perhaps never to bear children together, perhaps to be separated for eternity.

Here on the Hill, there is no question that Father Drinan is the dean of human rights' causes. And his magnificent presence—though it can never be replaced—must somehow be filled. In the past, we have looked to Father Drinan and to his outstanding staff for leadership and new ways to aid prisoners such as Shcharansky, Joseph Mendeleovich, Ida Nudel, Vladimir Slepak, Andrei Sakharov, and other exiled and jailed martyrs. Frankly, his dedication and zeal has inspired much of our own recent efforts on behalf of Soviet Jewish emigration.

Together—with the help of organizations such as the Union of Councils for Soviet Jews (celebrating its tenth anniversary this year), the Washington Committee for Soviet Jewry, Amnesty International, and the National Conference on Soviet Jewry, we have made some strides. But the road ahead is rugged. Tyranny, hate and ignorance are still with us. And we need new directions to fulfill our purpose.

Father Drinan, you who have been our heart and our conscience, must continue to challenge us from the outside and be our harbinger of change to meet the test of these difficult times. Only in this manner can we bear the fact that you are leaving . . . even though we understand that you will continue your mission on behalf of humanity in other equally important ways.

You must keep reminding us of life's soundest values so that we who remain in the political arena can reconsecrate ourselves to the nobler and more fundamental needs of society that you have so beautifully and effectively espoused.

Congress must not view your taking leave of us as a loss, but rather as our opportunity to pay you our finest tribute . . . to carry on your good work from this day on. To that I pledge myself, and I know that I speak for literally hundreds of your colleagues.

## FAIRNESS AND THE FOREIGN SERVICE ACT

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1980

○ Mr. OBERSTAR. Mr. Speaker, the Western World has watched the recent events in Poland with great at-

tention and hope. The image of Polish workers demanding to have free and independent trade unions and, with steady courage, simply exercising the right to strike has electrified working people around the globe.

From the docks of Duluth to the mines of the Iron Range, my own home district has been enriched by the labor of thousands of immigrants from all the ancient states of Eastern Europe and the Baltic. In my district, the kinship we claim with those in the shipyards of Gdansk and the mines of Silesia is more than spiritual. We cannot resist sharing the pride which the Poles have earned the right to feel.

We are also proud of the efforts of Radio Free Europe and the Voice of America to insure that the people of Poland and those in the other captive nations get accurate information about these historic events. For decades, the Voice, Radio Free Europe, and Radio Liberty have provided the only consistent source of free news and information for millions of Europeans. Recently, the effectiveness of these broadcasts was readily demonstrated when the Soviet Union so feared the truth's effect on its people that it, in another violation of a solemn international agreement, resumed jamming Western broadcasts.

The people who prepare and present these broadcasts are often refugees from the very countries who are served by their current efforts. With great interest they are also watching developments on the Foreign Service Act of 1980, H.R. 6790.

When that bill comes to the floor later today, I will offer an amendment to preserve the rights of employees in the International Communication Agency's Voice of America under an agreement between the Agency and the employee's bargaining representative. The agreement established the right of these employees to be free from being involuntarily converted from the Foreign Service to the civil service.

This 1977 agreement has worked well and, during House hearings, both the Agency and the employee organization opposed the State Department's attempt to legislate a change to mandatory conversion.

For the Congress to enact legislation which violates the conditions of employment established by a free agreement between an agency and its employees, especially when both parties oppose such a violation, would be particularly inappropriate in light of the recent events. At the very moment that ICA employees are broadcasting to Eastern Europe about the efforts of Polish workers to obtain basic labor rights from their government, these employees know that their own department of state is attempting to overturn a collective bargaining agreement between ICA and their elected representative. While ICA employees broadcast to the world the advantages

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What's the truth of it? Certainly there is a component of the growing right-wing reaction on social issues—I don't know how big—that fits this description. But there are also vast numbers of people sympathizing with the trend who are merely reacting in predictable, normal and valid ways to various terrible features of modern life. And what interests me most is that, in a way, we asked for it. By "we" I mean that mild, moderate, liberalish majority that has been roosting near the center of the nation's politics for years. Our first contribution to the phenomenon was the promiscuity and mindlessness with which we have made private-values questions Federal-government business. The second was our flight from moral judgment in the face of some of our most gross handiwork.

It is true that some private-values questions can only be resolved in the Federal-government context. Once the Supreme Court had ruled against formal prayer in schools, for instance, or once it had in effect "decriminalized" abortion, it was inevitable that the consequences of these Court rulings would be fought out in the national political arena—and that is as it should be. But relatively few of the private-values issues that have got entangled in our national politics have comparable constitutional connections.

Concerns: In the horror now being expressed over the Republican intrusion into the web of delicate private and personal concerns that these values-issues represent, it is useful to remember that Federal-government support and sustenance of the family was pronounced a principal issue by the Carter-Mondale campaign last time. Thus was going to be a very big deal in their Administration, both men promised, and so it has been. There has been terrible warfare among the Administration organizers of the White House Conference on Families and practically everyone else: pro- and anti-gay groups, pro- and anti-abortion groups, innumerable other organized lobbies and even Administration staff named to serve the conference.

It figured, and that is the point. Do-good governmental meddling at the national level can be in its own way as destructive an influence as do-bad efforts to use government to enforce social and moral conformity. Both engage the state where it has no business and in what it does worst. Still, it seems as though every group in the country has by now come to believe that its interests can only be served and its worth affirmed by some kind of national—i.e. Federal government—involvement.

I was going to say that I don't know how the state—the central authority, the guys with the jails and the guns—got to be so well beloved of liberalism and its middle-right, middle-left constituency, but I do. Past struggles over eradicating brutal racial repression in particular and a variety of crimes of indifference to public welfare in general in the states led a lot of people to assume, automatically, that you needed the Feds to get anything reasonable, fair, humane or generous done. It is a concept that has demonstrably outlived its usefulness, at least as a generally applicable rule. But it has gotten bigger, not smaller, as a shared national assumption.

What is wrong with it is obvious. Here is a recommendation of the White House family conference: "Delegates . . . agreed on the vital need for family-life education, and that government at all levels should assist the public and private sectors by providing appropriate courses for children and parents." Who needs government courses in family affairs? Why should this be? I don't think we're just talking about something harmless

or anodyne here. All that high-class palaver about how presidents are helping us to find our values has got it absolutely backward: they should be expressing our better values; we should not be buying the ones they work out in committee.

New Conservative Wave: Government grown values are by definition and necessity spiritually deformed. They tend to be lowest-common-denominator generalities or pressure-group-cooked outrages. Whoever lays it on them, whatever qualifies as "a problem" and has a few lobbyists (maybe only people who profit from curing the "problem") prevails. I haven't yet heard of a White House conference on kinky sex or an International Year of the Transvestite. But then I haven't turned on the 6 o'clock news yet.

How could those of us who have been pushing this stuff for years ever have thought that in a national context, a referendum of sorts, anything but what is now happening would? Fundamental, stabilizing personal and family values represent the real majority and, when ridiculed or grossly affronted, they will compel revenge. And that raises the second way in which the antagonists of the new conservative wave have asked for it. We have refused to view practically any indecency, outrage or pathological assault on our sense of rightness in any way except as a civil-liberties problem—protecting the abstract right of the sickos to come to dinner.

I don't mean this concern should be forgotten or abandoned. But it has become an instead-of, a dodge. It relieves us, we think, of saying what our feelings are about much of what we are defending in dissent and First Amendment terms. We are even afraid sometimes to render negative judgments, knowing the illogical leap will at once be made by our listeners who suppose we are recommending repression of the deviates, illiberality and—it is always mentioned next—genocide.

If those of us in the complaisant liberal middle don't want to be known (justly) in time as the wonderful folks who brought you President Jerry Falwell, then we will have to stop inviting the Feds into people's every personal decision and we will have to assert a moral sensibility of our own. ●

#### UNION OF COUNCILS FOR SOVIET JEWS HONORS REPRESENTATIVE DRINAN IN SPECIAL HOUSE CEREMONY

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1980

● Mr. BARNES. Mr. Speaker, this morning I participated in a special ceremony with other colleagues, members of the Union of Councils for Soviet Jews, and close associates of the Washington Committee for Soviet Jewry to honor Representative ROBERT F. DRINAN's decade in Congress.

I commend these organizations for sponsoring this tribute to our outstanding and dedicated colleague, Mr. DRINAN, and I submit for the RECORD remarks made earlier today by Representative ANDREW MAGUIRE and myself on Father DRINAN's global human rights leadership:

#### STATEMENT OF CONGRESSMAN ANDREW MAGUIRE

This morning I find myself the grateful legatee of the responsibilities originally accorded our colleague Lester Wolff who was first asked to host this morning's salute to our friend Bob Drinan. Lester is preparing for an important hearing and so I gladly accepted the offer tendered by the Union of Councils for Soviet Jews to function as moderator for this important event.

This year I am chairman of the "Spirit of Helsinki Vigil," the congressional monitoring group which acts as an advocate for the rights of Soviet Jews (and in fact Russian citizens of all faiths) to emigrate to dissent and to exercise their moral, political and religious rights which are ostensibly protected in the Soviet Union by that country's acceptance of the Helsinki accords. Bob Drinan is a stellar member of our group, but it is more appropriate to say that we act to emulate him. For since Bob came to Congress in 1971 on an antiwar, pro-human needs platform, he has always acted—consistently and persistently—as a forceful advocate for human rights.

The great moral philosopher Reinhold Niebuhr once said, "Man's capacity for justice makes democracy possible, but man's inclination toward injustice makes democracy necessary." Bob Drinan has used his forum in the House of Representatives—the people's House—to plead the cases of important causes time and again. One of his most important achievements is the manner in which his advocacy of the case of Anatoly Shcharansky (although we haven't been successful in freeing him) has elevated the Soviet's treatment of dissident Jews high into the consciences of Americans.

In 1975, Anatoly Shcharansky served as Bob Drinan's guide and translator during a visit to the Soviet Union to examine Soviet policies toward Jews and other minorities. Two years later, on March 15, 1977, KGB agents burst into Anatoly's apartment and placed him under arrest. After one year's imprisonment, Shcharansky was convicted and sentenced to 13 years incarceration for "anti-Soviet" activity. It was another case of Soviet abuse of the human rights of one of their Jewish citizens. But it wasn't merely another case to Bob Drinan. And so, for the last three years, Bob has been applying his valuable skills and unusual personal resources to publicize Shcharansky's case. His efforts have been so extraordinary that Shcharansky's name is synonymous with all victims of religious persecution everywhere. Bob's work, too, is a metaphor for congressional action on human rights issues in general.

Most of the participants in today's ceremonies are familiar with many of Bob Drinan's very personal efforts in the Shcharansky case. There is a committee in New York called International Committee to Save Anatoly Shcharansky that Bob chairs which has worked to raise the consciousness of caring people the world over regarding Anatoly Shcharansky's fate. We have participated in special orders organized by Bob which have brought this message to Congress. Many of us cosponsored Bob's resolution which urged the U.S. to move the Olympic games out of Moscow which was introduced on January 15, 1979. His cry was "Olympics DA, Moscow NYET," and no one can question that events bore him out. Bob has been instrumental in showing comfort to Avital, Anatoly's wife, and in providing her with forums from which she communicates the personal side of this on-going political and human rights tragedy.

Most recently, in March, 1980, when the House remembered the anniversary of Ana-

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of the free and fair system of labor relations in America, they should not be burdened by an action which would destroy the work of both their employer and their own labor representative.

For the benefit of my colleagues, I wish to present some background information on this ICA amendment. Although the amendment would change only 2 lines in a bill which is 268 pages long, the amendment will prevent a substantial injustice from being committed.

In 1977, the International Communication Agency and the representative of its employees entered into a negotiated agreement pursuant to the Nixon Executive order on labor-management relations. In essence, this agreement provided three central features. One, the Foreign Service "domestic specialists" at ICA would at no time be forced to convert to civil service status. Two, these employees were given the option until June 1981 to voluntarily convert with the terms and conditions of their willing conversion guaranteed by the agreement until that date. Three, ICA would discontinue hiring new employees as domestic specialists.

The proposed act would violate the agreement's open-ended prohibition against forced conversions. Both ICA and the representative testified at the hearings on the bill, and both Agency management and the employee representative opposed this agreement. The facts can best be summarized by presenting excerpts from their testimony.

The Honorable John Reinhardt, Director of the International Communication Agency, stated the basic facts succinctly:

(We) have over 900 Agency employees classified as Foreign Service "domestic specialists," known as FAS employees. They work as Voice of America technicians and broadcasters, magazine editors, exhibit designers, and in many of the positions are essential to the support of our missions overseas. Experience has shown that the features of the civil service personnel system are more suitable for this class of employees than are the procedures of the Foreign Service system. For example, promotions for a domestic complement can be made more equitably under the rank-in-job system than under the rank-in-person system. For these reasons, we have moved in recent years toward the use of civil service procedures for domestic personnel, regardless of whether they are categorized as Foreign Service or civil service.

In 1977 we entered into an agreement with Local 1812 of the American Federation of Government Employees, the exclusive bargaining representative of our Foreign Service personnel. That agreement provides that USICA's Foreign Service "domestic specialists" would not be subject to mandatory conversion to civil service, though they have the option, through June 30, 1981, of converting voluntarily. Under the agreement, those who do not exercise this option would remain in the Foreign Service. A corollary provision states that no new domestic specialists would be brought into USICA's Foreign Service.

Because of USICA's agreement with AFGE, special provision is made in the proposed act for the temporary exemption of

USICA "domestic specialist" employees from mandatory conversion until July 1, 1981, the period allowed for voluntary conversion under the contract. Thus, the proposed legislation endeavors to preserve the essential thrust of the agreement with AFGE, while providing better personnel management and following the policy and procedures proposed for other foreign affairs agencies.

However, I must be candid in stating that in the discussions regarding the preparation of this bill, and in view of the agreement with AFGE, I have opposed the application of this provision to our employees. Many of the affected employees have expressed strong objection to mandatory conversion. I am sure you will hear the testimony of their representatives.

Mrs. SCHROEDER. Thank you very much, Mr. Reinhardt. We are very pleased to have you again with us this morning.

Let me yield first to my colleagues for questions, and we will proceed on, then. Congressman Fascell, do you have any questions?

Mr. FASCELL. Thank you very much, Madam Chairman.

I am just trying to catch up with a contract for which a special exemption has been made in the proposal. Did I understand you correctly?

Mr. REINHARDT. You did, sir.

Mr. FASCELL. And this contract runs out on July 1, 1981?

Mr. REINHARDT. Only as it applies to the voluntary conversion portions of the agreement. That is, the approximately 900 employees in USICA have until June 30, 1981, to make a decision as to whether they want to convert to the civil service or remain in the Foreign Service.

Mr. FASCELL. You mean that is in the contract?

Mr. REINHARDT. That is in our agreement with the union.

QUESTIONS SUBMITTED IN WRITING TO HON. JOHN REINHARDT, DIRECTOR, INTERNATIONAL COMMUNICATION AGENCY, AND RESPONSES THERETO

Question. Exactly what does the USICA-AFGE agreement seek to protect?

Answer. The USICA-AFGE agreement outlines the Agency's revised personnel system for Foreign Affairs Specialist employees (comprising Foreign Service Reserve officers with limited and unlimited tenure, and some Foreign Service Staff personnel) and guarantees the conditions under which domestic FAS employees can convert to GS until June 30, 1981. After June 30, 1981 the option to convert to GS will not necessarily be foreclosed, but the requirements and conditions for conversion will be based on the Agency's personnel situation at that time and could be very different from the conditions outlined in the circular. It was a specific concern and intent of the union and management that these employees would not be forced to convert to GS and thereby be deprived of the advantage of Foreign Service status, but that such conversions would be made strictly on a voluntary basis.

Mr. Speaker, the employee representative also appeared at the hearings and testified:

Within a brief time, the weaknesses of the program became apparent, even to management. A new administration in USIA finally proposed that the program be brought to an end. Local 1812 heartily agreed and together union and management negotiated a way to phase out the program in a manner preserving the rights of all parties: First, the Agency stopped hiring FAS employees and agreed to bring all new domestic employees

into the civil service. Second, selection boards ceased to decide promotions and FAS employees were brought under a new merit promotion plan incorporating civil service principles and applying to all domestic employees. Third, FAS employees were offered the opportunity to convert back to civil service by a transfer to the civil service retirement system. With regard to voluntary conversion, the Agency wanted a cutoff date for employees to make their decision and the union agreed to make that date June 30, 1981.

With regard to other elements of the agreement—the voluntary nature of conversion, the merit promotion procedures, et cetera—these the parties intended to continue beyond June 1981 unless other terms were agreed to.

Since the date of this agreement, many employees have converted to the civil service and, by this means, and through attrition, the number of FAS employees has begun to decrease. It was in the midst of this process that we received the State Department proposal to force conversion to the civil service of not only its employees but those at USICA as well.

We objected and still object to this effort to cancel a negotiated agreement by legislation—an agreement based on the good faith judgments of both the union and management that a voluntary conversion system is likely to do the least amount of violence to both the rights and sensibilities of a group of employees who are wearied by a succession of personnel experiments undertaken at their expense and never in their interests.

Mrs. SCHROEDER. I have many further questions. I think what we might do is offer to keep the record open and have people submit questions for the record. I just wanted to ask one brief one. Do you have a collective bargaining agreement between the ICA and AFGE that will expire on June 30 of 1981?

Mr. ABE HARRIS. No.

Mrs. SCHROEDER. What is going to happen?

Mr. ABE HARRIS. The agreement was open ended. Just as Mr. Kozak explained, 1981 was purely the date where you could convert the GS voluntarily and basically at that time USIA, when this agreement was made, could live with the fact it would take 15 years to 20 years to phase out this FAS program whereas now apparently State Department has continued this program up to about 6 months ago, I believe, when they stopped hiring people. AMSA wants to terminate very quickly.

Mrs. SCHROEDER. So you have a real contract problem.

Mr. ABE HARRIS. We think the fundamental issue, if the State Department does not like a labor management agreement that USIA and local 1812 concluded, should they come to Congress and ask them to rewrite that agreement?

Mr. Speaker, finally, I would like to point out the language used by the U.S. Information Agency—now ICA—when it announced the agreement in a December 1977 circular. The Agency first noted:

The agency has negotiated with AFGE, the exclusive bargaining representative for USIA's Foreign Service employees, a revised personnel system that will replace the Foreign Affairs Specialist (FAS) program. The purpose of this circular is to announce the revised personnel system.

The circular summarized those rules governing voluntary conversion to the civil service general schedule. The circular clearly stated in its conclusion

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that "The time limit for submitting applications for conversion to General Schedule under the conditions described in this circular is June 30, 1981." Following the summary of rules for voluntary conversion, the circular stated:

These conversion rules will remain in effect until June 30, 1981. It is felt that this 3½ year period provides a reasonable time for present FS employees to decide whether they wish to convert to GS or to remain in the Foreign Service. Conversion to GS after June 30, 1981, will be subject to whatever requirements and conditions may be established at that time for conversion.

Consistent with the later congressional testimony of both the agency and the employee representative, the circular prohibited mandatory conversion without any time limit. It stated, in underlined text: "Conversion from FS to GS will be entirely voluntary at the option of the employee."

I believe this information needs no further explanation, and I appreciate

the support of my colleagues from both sides of the aisle.●

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